

after bear interest for the benefit of the State Highway Fund at the rate of ten (10%) per cent per annum, which interest shall be charged to each county tax collector failing or refusing to remit said funds within said period of sixty days. The exact amount of said interest charge shall be determined by the State Highway Department by a careful audit of the license fees received and disbursed by said tax collector pursuant to the laws relating to the registration and transfer of vehicles; and the State of Texas shall have a valid claim against the county tax collector and his official bondsmen for the amount of such interest as determined by said audit, provided, however, that no person shall be authorized or permitted to collect any license fees under the provisions of this Act except the tax collector or a duly authorized and appointed deputy."

Sec. 2. The fact that there is a public demand and an imperative necessity prevailing at this time and the crowded condition of the calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days in each House be suspended, and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted.

FIFTEENTH DAY.

Senate Chamber,
Austin, Texas,
March 13, 1930.

The Senate met at 3 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Love.
Berkeley.	Martin.
Cousins.	McFarlane.
Cunningham.	Miller.
DeBerry.	Moore.
Gainer.	Neal.
Greer.	Parr.
Hardin.	Parrish.
Holbrook.	Patton.
Hornsby.	Pollard.
Hyer.	Russek.

Small.	Wirtz.
Thomason.	Witt.
Westbrook.	Woodul.
Williamson.	Woodward.

Absent—Excused.

Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Love:

S. B. No. 89, A bill to be entitled "An Act to prescribe what constitutes the perfection of an appeal in misdemeanor cases, making it the duty of the clerk of the court in which appeals in such cases are perfected to enter of record the recognizance of the defendant, and the duty of the judge of such court, if such recognizance is not so entered, to order the same entered nunc pro tunc after the term, and the duty of the Court of Criminal Appeals to issue writs of certiorari to require the entry of such recognizance and its certification to said court in all cases now pending or hereafter pending in said court; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Miller:

S. B. No. 90, A bill to be entitled "An Act to amend an Act passed at the Second Called Session of the Forty-first Legislature known as Senate Bill No. 138, filed in the office of the Secretary of State on June 24, 1929, being Chapter 73 of the General Laws of the State of Texas passed by the Forty-first Legislature at its Second Called Session; authorizing the Board of Regents of the College of Industrial Arts to erect and equip and make contracts for the erection and equipping of dormitories and other improvements

on the campus or other real additional real estate purchased or leased for the purpose, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Martin:

S. B. No. 91, A bill to be entitled "An Act amending Chapter 91, of the General and Special Laws of Texas of 1927 of the First Called Session of the Fortieth Legislature, entitled, 'An Act providing for a rural school supervisor in lieu of the teachers' institute as required under Article 2691, and providing for the payment of the salary of said rural school supervisor in counties having a population of 36,750 to 37,550 according to the Federal census of 1920, and a scholastic population of at least 9,000 as shown by the scholastic census report for the school year of 1926-27 and declaring an emergency,' so as to provide for rural school supervisor, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 56.

H. B. No. 38.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives.

Austin, Texas, March 13, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 11, requesting the United States Post Office Department to issue a set of commemorative postage stamps in honor of the Texas centennial.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Hall of the House of Representatives.

Austin, Texas, March 13, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to H. B. No. 6 and requests the Senate for the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Lee, Bateman, Ackerman, Westbrook, Morse.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Hall of the House of Representatives.

Austin, Texas, March 13, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 19, A bill to be entitled "An Act to authorize the county board of trustees of any county in this State to incorporate a common school district into an independent school district for school purposes only upon petition of a majority of the legally qualified property tax paying voters residing in the territory affected; providing for the appointment and election of trustees for such incorporated districts; validating all school districts, including independent school districts heretofore incorporated under the provisions of Section 5, Chapter 84, General Laws, First Called Session, Fortieth Legislature, 1927, and all other school districts; also the acts of the county boards of trustees and the acts of the boards of trustees in such school districts, and all bonds issued by such districts, and declaring an emergency."

With amendments.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Hall of the House of Representatives.

Austin, Texas, March 13, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 11, A bill to be entitled "An Act to create the 113th Judicial District of Texas and to give such court concurrent jurisdiction with the District Court of Gray County, Texas, in and for the 31st Judicial District of Texas, and concurrent jurisdiction with the District Court of Hutchinson and Carson Counties, in and for the 84th Judicial District of Texas, in all civil and criminal cases; to provide a clerk for said courts and the transfer to said 113th District Court of certain cases now pending in the 31st Judicial District Court in and for Gray County, Texas, and the 84th Judicial District Court in and for Hutchinson and Carson Counties, Texas; to designate the character of cases to be filed in said court after its organization; etc., and declaring an emergency."

With amendments.

S. B. No. 15, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927, relating to the organization of the Fifty-first Judicial District of the State of Texas, reorganizing the same, naming the counties constituting the same and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth Judicial District of the State of Texas, etc."

With amendments.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 13, 1930.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 21, A bill to be entitled "An Act to amend Article 5139 of Title 82 of the Revised Civil Statutes of Texas of 1925, relating to juvenile boards in certain counties and salaries of district and criminal

district judges in such counties and declaring an emergency."

With amendments.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 13, 1930.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 69, A bill to be entitled "An Act amending Section 1 of Chapter 27, Acts Forty-first Legislature, Second Called Session, as amended by H. B. No. 89 of the Fourth Called Session, Forty-first Legislature, and declaring an emergency."

H. B. No. 87, A bill to be entitled "An Act to authorize the selection of school depositories for independent districts in certain counties, regardless of the population of said districts, and declaring an emergency."

H. B. No. 99, A bill to be entitled "An Act to regulate the method of taking or catching fish in the public fresh waters in Cass, Bowie, Morris and Titus Counties, State of Texas; providing penalties for violation; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 117, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary of said supervisor, and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

H. B. No. 124, A bill to be entitled "An Act to amend Section 1 of H. B. No. 91, passed by the Forty-first Legislature of the State of Texas, relating to the manner of holding elections for the issuing of seawall bonds under Article 6834, Title 118, of said Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 134, A bill to be entitled "An Act to amend Chapter 22 of H. B. No. 164, passed by the Second Called Session of the Forty-first

Legislature, the same being an act regulating the taking of fur-bearing animals in certain counties; declaring the wild beaver, wild otter, wild mink, wild ring-tail cat, wild badger, wild polecat or skunk, wild o'possum, wild raccoon, wild fox and wild civet cat to be fur-bearing animals and making it unlawful to take any of the fur-bearing animals of this State by means of a steel trap, dead-fall or snare, in the counties of Panola, Shelby, Nacogdoches, Rusk, Cherokee, Angelina, San Augustine, Hardin, Harris, Harrison, Polk, San Jacinto, Brazos, Madison, Trinity, Tyler, Liberty, Anderson, Sabine, Grimes and Montgomery; providing a penalty, and declaring an emergency."

H. B. No. 109, A bill to be entitled "An Act to provide a special county road law for Austin County, Texas; declaring county commissioners shall be ex-officio road supervisors of their respective precincts, and, subject to the direction of the commissioners' court, have charge of all road equipment for the building and maintenance of roads in their respective precincts; and defining the authority and duties of said commissioners as road supervisors; requiring bond of such commissioners as road supervisors; and requiring the keeping of certain accounts; providing for the purchase of material and supplies necessary in the discharge of the duties imposed, and for the employment of necessary labor; and providing that this Act, etc."

H. B. No. 53, A bill to be entitled "An Act to amend Section 1, Chapter 147, Acts Thirty-ninth Legislature, First Called Session, creating and defining by metes and bounds Road District No. 2 of Cherokee County, Texas, under authority of Section 52 of Article 3 of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; providing that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas; excluding certain territory heretofore embraced and contained within said district, and declaring an emergency."

8—Jour. 5

H. B. No. 67, A bill to be entitled "An Act authorizing the commissioners' court of Shackelford County to pay bounties on wolf scalps in Shackelford County to preserve game in said county; enacting the necessary regulations in reference thereto, and declaring an emergency."

H. B. No. 94, A bill to be entitled "An Act amending General and Special Laws of the Forty-first Legislature, Chapter 141, making it lawful to kill squirrels at any time in the counties of Travis, Williamson, San Saba, Llano, Lampasas, Burnet, Go-liad, Blanco, Hays and Erath, and declaring an emergency."

H. B. No. 108, A bill to be entitled "An Act to authorize the commissioners' court of Wilbarger County, Texas, to contract and agree with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger County, Texas, and to authorize said commissioners' court of Wilbarger County, Texas, out of the road and bridge funds of said county, to pay not more than 25 per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrants for said purpose; and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas; and to authorize the appropriation of funds by the said Highway Commissioner to aid in the construction and maintenance thereof, on authority herein granted by authority of the Governor of Texas, and declaring an emergency."

H. B. No. 126, A bill to be entitled "An Act to levy and collect annually a \$3.00 road tax against all able-bodied male citizens in Upshur County, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Free Conference Granted.

On motion of Senator Woodward,

the Senate voted to grant the request of the House for a Free Conference Committee on H. B. No. 6.

The Chair appointed the following on the part of the Senate:

Senators Woodward, DeBerry, Cunningham, Holbrook, Witt.

Simple Resolution No. 18.

Senator Love sent up the following resolution:

Resolved, That the Senate conferees on H. B. No. 2 are respectfully instructed that it is the sense of the Senate that the differences between the House and the Senate ought to be adjusted by a bill levying a tax on sulphur of seventy-five cents per ton.

Love, Woodward, Neal, Berkeley, Parrish, Hornsby, Beck, Pollard, Patton, Cunningham, McFarlane, Martin, Greer.

The resolution was read.

On motion of Senator Love, the resolution was laid on the table subject to call.

Motion to Concur.

Senator Woodward moved to concur in the House amendment to S. B. No. 15. The motion prevailed.

H. C. R. No. 11.

The Chair laid before the Senate H. C. R. No. 11, Requesting the U. S. Post Office Department to issue a special stamp in honor of the Texas Centennial.

Read and adopted.

H. C. R. No. 10.

The Chair laid before the Senate H. C. R. No. 10, Thanking the State song committee.

Read and adopted.

Simple Resolution No. 19.

Senator Moore sent up the following resolution:

Whereas, The Legislature has been in session fifty-four days for the following purposes, primarily: Enactment of legislation to correct and improve conditions affecting the State prison system; for the enactment of legislation to increase the available revenues of the public treasury, and for the passage of appropriation bills for public education; and

Whereas, After fifty-four days of

continuous effort on the part of the House of Representatives and the State Senate, nothing has been accomplished in the matter of prison reform or improvement; and

Whereas, The conferees on the prison legislation adopted by the respective legislative bodies have, apparently, been unable to agree on a measure satisfactory to the said conferees after a week's effort; therefore, be it

Resolved, That the Senate does hereby instruct its conferees on the Prison Conference Committee to report to the Senate not later than 10:30 o'clock Friday morning, March 14, and that upon failure of said conferees to report to the Senate that they thereby vacate their positions and the President be and is hereby instructed to appoint other and additional conferees.

Moore, Berkeley, Parrish, Greer, McFarlane, Small, Hornsby, Cunningham, Westbrook, Thomason, Gainer, Russek, Martin, Hyer, Hardin, Pollard.

The resolution was read and adopted.

Motion to Concur.

On motion of Senator Small, the Senate concurred in the House amendment to S. B. No. 11 by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Neal.
Cunningham.	Parr.
Cousins	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Small.

On motion of Senator Small, the Senate concurred in the House amendment to S. B. No. 19 by the following vote:

Yeas—30.

Beck.	Berkeley.
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Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Pollard.
Hardin.	Russek.
Holbrook.	Small.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Stevenson.

House Bill No. 66.

The Chair laid before the Senate on third reading the following bill:

By Mr. Nicholson, Mr. Kinnear and Mr. Quinn:

H. B. No. 66, A bill to be entitled "An Act to provide for the sale by the State to H. L. McKee, his heirs and assigns, a certain tract or area of land situated in Jefferson County, Texas, same being submerged lands constituting a part of the bed of Sabine Lake, retaining to the State all minerals therein, and declaring an emergency."

Read third time.

Senator Moore sent up the following amendment:

Amend H. B. No. 66 by adding a new section after Section 6 as follows:

"Sec. 6-a. It is provided herein that should a bridge or causeway be constructed across or on the above property, that title to said bridge or causeway shall revert to the State of Texas, immediately after sufficient funds have been collected, as fees or otherwise, from the use of said bridge or causeway, to pay for the construction of same, after allowing sufficient funds to pay the expenses of the operation of said bridge or causeway, and after allowing annually sufficient funds to pay eight (8%) per cent on the actual investment in said bridge or causeway. Provided further that the owners or operators of said bridge or causeway shall keep proper books showing receipts, costs of operation as well as construction, and that said books shall be open to the in-

spection of the public and State Auditor of the State of Texas."

MOORE.

The amendment was read.

Memorial Service.

At 4 o'clock p. m., the Chair announced that the hour for the memorial services for the late R. M. Williamson had arrived.

The memorial address was delivered by Senator Holbrook.

Point of No Quorum.

At 4:50 the Senate was called to order by Lieutenant Governor Barry Miller.

Senator McFarlane raised the point of order that a quorum was lacking. The roll call showed a quorum present.

House Bill No. 66.

The question recurred on the pending amendment to H. B. No. 6.

Senator Love moved the previous question on the further consideration of the amendment and the bill.

The motion prevailed.

The amendment was lost by the following vote:

Yeas—7.

Berkeley.	Moore.
Hardin.	Parrish.
Hyer.	Westbrook.
McFarlane.	

Nays—18.

Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Holbrook.	Small.
Hornsby.	Thomason.
Love.	Williamson.
Martin.	Wirtz.
Neal.	Woodul.

Absent.

Beck.	Witt.
Greer.	Woodward.
Miller.	

Absent—Excused.

Stevenson.

The bill finally passed by the following vote:

Yeas—19.

Cousins.	Cunningham.
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Gainer.	Patton.
Greer.	Pollard.
Holbrook.	Russek.
Hornsby.	Small.
Hyer.	Thomason.
Love.	Williamson.
Martin.	Wirtz.
Neal.	Woodul.
Parr.	

Nays—9.

Berkeley.	Moore.
DeBerry.	Parrish.
Hardin.	Westbrook.
McFarlane.	Woodward.
Miller.	

Absent.

Beck.	Witt.
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Absent—Excused.

Stevenson.

Bills Signed.

The Chair, President Pro Tem Williamson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 19.

S. B. No. 15.

Simple Resolution No. 20.

Senator Love sent up the following resolution:

Resolved That the conferees on H. B. No. 2 be instructed to report thereon to the Senate by Friday, March 14, at 10 a. m.

LOVE.

The resolution was read.

On motion of Senator Love, the resolution was laid on the table subject to call.

Senator Excused.

On motion of Senator Martin, Senator DeBerry was excused for the afternoon on account of special committee work.

Senate Bill No. 63.

The Chair laid before the Senate as pending business the following bill:

By Senators Pollard, Greer and Love:

S. B. No. 63, A bill to be entitled "An Act to create the 120th Judi-

cial District of Texas and to designate the counties constituting said district, and fixing the time for holding court therein; reorganizing the 86th Judicial District of Texas, and designating the counties constituting said district and fixing the time for holding court in the various counties of said district; etc., and declaring an emergency."

The bill passed to engrossment.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 63 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Nays—1.

McFarlane.

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Nays—1.

McFarlane.

Absent—Excused.

DeBerry. Stevenson.

Senate Bill No. 88.

The Chair laid before the Senate on its second reading the following bill:

By Senator Williamson:

S. B. No. 88, A bill to be entitled "An Act amending Chapter 47 (Senate Bill No. 36), Acts of the Second Called Session of the Forty-first Legislature, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 88 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

Resolution Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

H. C. R. No. 10.**Senate Bill No. 85.**

The Chair laid before the Senate on its second reading the following bill:

By Senator Cousins:

S. B. No. 85, A bill to be entitled "An Act relating to the membership, selection, qualifications, and duties of the County Board of Education in counties with a population of not less than 15,300 nor more than 15,400 according to the Federal census of 1920; providing for the administration of the school affairs of all school districts with a scholastic population of less than 500 scholastics and for funds for the administration expense account; etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 85 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry.	Stevenson.
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House Bill No. 104.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hardy:

H. B. No. 104, A bill to be entitled "An Act to amend Article 1747 of the Revised Civil Statutes of Texas, 1925, so as to permit persons unable to pay costs or give security therefor, to be entitled to prosecute their appeal in the appellate courts without requiring any bond, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator McFarlane the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 104 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry.	Stevenson.
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Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry.	Stevenson.
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Senate Bill No. 81.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parr:

S. B. No. 81, A bill to be entitled "An Act creating the 113th Judicial District Court for Nueces County; defining its jurisdiction; transferring the civil original jurisdiction of the County Court of Nueces County to the court created hereby and adjusting the business of said courts; adjusting the business of the 28th District Court to Nueces County with the court created hereby; prescribing the duties of the District Clerk with respect thereto, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 81 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
Cunningham.	Holbrook.

Hornsby.	Pollard.
Hyer.	Russek.
Love.	Small.
Martin.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Neal.	Wirtz.
Parr.	Witt.
Parrish.	Woodul.
Patton.	Woodward.

Nay—1.

McFarlane.

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Nay—1.

McFarlane.

Absent—Excused.

DeBerry. Stevenson.

House Bill No. 75.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Morse, Mr. Kemble and Mr.
Purl:

H. B. No. 75, A bill to be entitled
"An Act to amend Chapter 5, Title
115, of the Revised Statutes of 1925,
by adding thereto Section 6662a,
providing that all ordinances of
cities, towns or villages levying as-
sessments against property for the
paving, straightening, widening,
opening, extending, grading, raising,
lowering or improving streets, or
levying assessments for public im-
provements of any kind or character,

be filed for record in the office of
the county clerk of the county in
which any such city, town or vil-
lage is located before constituting
liens against any such real property
as against purchasers or mortgagees
for valuable considerations, and de-
claring an emergency."

The committee report was adopted.

The bill was read second time and
passed to third reading.

On motion of Senator Hornsby the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 75 was put
on its third reading and final pas-
sage by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Patton.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

House Bill No. 125.

The Chair laid before the Senate

on its second reading the following bill:

H. B. No. 125, A bill to be entitled "An Act validating all elections, election orders, election proceedings and city ordinances annexing adjacent territory to or extending and prescribing the corporate limits of any home rule city that has adopted a charter under Article Eleven (11), Section Five (5), of the Constitution of Texas, and the provisions of Chapter 147, Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, 1913, but which city did not in fact have a population of 5,000 according to the 1920 Federal census, and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Parrish the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 125 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hornsby.	Small.
Hyer.	Thomason.
Love.	Westbrook.
Hardin.	Williamson.
Holbrook.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hornsby.
Cunningham.	Hyer.
Gainer.	Love.
Greer.	Martin.

McFarlane.
Miller.
Moore.
Neal.
Parr.
Parrish.
Patton.
Pollard.
Russek.

Small.
Thomason.
Westbrook.
Williamson.
Wirtz.
Witt.
Woodul.
Woodward.

Absent—Excused.

DeBerry.

Stevenson.

Senate Bill No. 75.

The Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 75, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not less than 7550 and not more than 7590 according to the United States census of 1920, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 75 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry.

Stevenson.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Berkeley.
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Cousins.	Patton.
Cunningham.	Parr.
Gainer.	Parrish.
Greer.	Pollard.
Hardin.	Russek.
Holbrook.	Small.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

DeBerry. Stevenson.

Senate Bill No. 83.

Senator Love moved to take up S. B. No. 83. The motion prevailed by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.

Nay—1.

Miller.

Absent—Excused.

DeBerry. Stevenson.

The Chair laid before the Senate the following bill:

By Senator Love:

S. B. No. 83, A bill to be entitled "An Act creating one additional court for Dallas County, defining jurisdiction, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the District Clerk with respect thereto, and declaring an emergency."

The committee report was adopted. The bill was read second time and passed to engrossment.

On motion of Senator Love the

constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 83 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.

Nay—1.

Miller.

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.

Nay—1.

Miller.

Absent—Excused.

DeBerry. Stevenson.

Senate Bill No. 71.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 71, A bill to be entitled "An Act to amend Article 1302, Revised Statutes 1925, so as to authorize the formation of corporations to

do a mineral royalty business, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Gainer the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 71 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Russek.
Greer.	Pollard.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

House Bills Referred

H. B. No. 108, referred to Committee on Highways and Motor Traffic.

H. B. No. 94, referred to Committee on State Affairs.

H. B. No. 67, referred to Committee on State Affairs.

H. B. No. 53, referred to Committee on Mining, Irrigation and Drainage.

H. B. No. 109, referred to Committee on Highways and Motor Traffic.

H. B. No. 134, referred to Committee on Stock and Stock Raising.

H. B. No. 124, referred to Committee on Elections.

H. B. No. 117, referred to Committee on Educational Affairs.

H. B. No. 99, referred to Committee on State Affairs.

H. B. No. 87, referred to Committee on Educational Affairs.

H. B. No. 69, referred to Committee on State Affairs.

Motion to Set Special Order.

On motion of Senator Moore, H. B. No. 19 was made special order for Friday morning after the morning call.

House Bill No. 83.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Pool, Mr. Hubbard and Mr. Harrison:

H. B. No. 83, A bill to be entitled "An Act providing for the temporary registration or visiting privileges in this State of vehicles owned by citizens of another State or country and duly registered under the laws of said State or country for the current year; prescribing restrictions under which such vehicle may be operated; prescribing penalties for any violations hereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report was adopted.

The bill was read second time.

Senator Miller sent up the following amendment:

Amend H. B. No. 83 by striking out "sixty days" wherever it appears in the bill and insert in lieu thereof the words "twenty-five days."

MILLER.

Read and adopted.

Senator Berkeley sent up the following amendments:

Amend H. B. No. 83, Section 5, page 4, line 17, by replacing the period after the word "him" with a comma, and adding the following:

"nor a resident of an adjoining State or country from operating a privately owned and duly registered vehicle, not operated for hire in this State at will, for the purpose of going to and from his place of regular employment and the making of trips for the purpose of purchasing goods, wares and merchandise."

BERKELEY.

Read and adopted.

Amend H. B. No. 83, Section 5, page 4, line 19, by striking out after the word "vehicle" the following language, "not being operated for compensation or hire."

BERKELEY.

Read and adopted.

The bill as amended passed to third reading.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 83 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Stevenson.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	McFarlane.
Berkeley.	Miller.
Cousins.	Moore.
Cunningham.	Neal.
Gainer.	Parr.
Greer.	Parrish.
Hardin.	Patton.
Holbrook.	Pollard.
Hornsby.	Russek.
Hyer.	Small.
Love.	Thomason.
Martin.	Westbrook.

Williamson.
Wirtz.
Witt.

Woodul.
Woodward.

Absent—Excused.

DeBerry. Stevenson.

Adjournment.

Senator Holbrook moved to adjourn until tomorrow morning at 10 o'clock.

Senator Love moved to recess until 10 o'clock tomorrow morning.

The motion to adjourn prevailed, and at 5:50 o'clock, the Senate adjourned.

APPENDIX.**Committee on Enrolled Bills.**

Committee Room,

Austin, Texas, March 13, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 15 carefully examined and compared, and find the same correctly enrolled, and have this day at 5:15 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,

Austin, Texas, March 13, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 64 carefully examined and compared, and find the same correctly enrolled, and have this day at 5:15 o'clock presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,

Austin, Texas, March 13, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 10 carefully examined and compared, and find the same correctly enrolled, and have this day at 5:15 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,

Austin, Texas, March 13, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 65 carefully examined and compared, and find the same correctly enrolled, and have this day at 5:15 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 56 carefully examined and compared, and find the same correctly enrolled, and have this day at 5:15 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 19 carefully examined and compared, and find the same correctly enrolled, and have this day at 5:15 o'clock presented the same to the Governor for his approval.

WITT, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 68 carefully examined and compared, and find the same correctly enrolled, and have this day at 5:15 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 13, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 88, A bill to be entitled "An Act amending Chapter 156 of the Acts of the Regular Session of the Fortieth Legislature of the State of Texas of 1927 relating to administrative judicial districts, by providing that the State shall be divided into nine administrative ju-

dicial districts, providing for the appointment and election of presiding judges, prescribing their qualifications, duties and powers and providing for the expenses, salaries incident to the administration thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 25, A bill to be entitled "An Act to provide a period of time when continuity of failure to exercise dominion over land, or pay taxes thereon, shall prima facie prove title to persons exercising dominion over, and paying taxes on such land, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, March 13, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 79, A bill to be entitled "An Act empowering the county school board of trustees with the authority to add by annexation, or consolidation, or extension of boundary line, any contiguous common school district with any common school with any independent school district for high school or elementary school purposes and maintaining the administrative authority of such independent school district to which such or schools are annexed for teaching purposes."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

NEAL, Chairman.

By Neal.

S. B. No. 79.

A BILL

To Be Entitled

An Act empowering the County School Board of Trustees with the authority to add by annexation, or consolidation, or extension of boundary line and contiguous common school district with any independent school district for high school or elementary school purposes and maintaining the administrative identity and administrative authority of such independent school district to which such school or schools are annexed for teaching purposes.

Be it enacted by the Legislature of the State of Texas:

Section 1. That upon and after the passage of this Act the County Board of Trustees shall have authority to annex for teaching purposes to an independent school district, maintaining an accredited or affiliated high school as designated by the State Department of Education, such common school districts or other independent school districts contiguous to such independent school district, where such annexation would be for the economical teaching of pupils in such common school or independent school districts.

Sec. 2. Such annexation shall be made upon petition of a majority of the qualified voters of the common school district or independent district to be annexed. Such request for annexation must also be approved by a majority of the Board of Trustees of the Independent School District to which the annexation is made for teaching purposes.

Sec. 3. In cases where the County Board of Trustees shall make annexations provided herein, the administrative power of the Independent district to which such school territory is annexed for teaching purposes shall not be effected. Such independent school district shall have supervision authority as provided by law for such independent school districts over taxation and school depositories.

Sec. 4. Whereas the manifest importance of this Legislation and the fact that there are now many instances of annexations as provided

in this bill in which the administrative powers of the independent school districts to which such annexation is made is in an unsettled condition and an imperative public necessity exists requiring the suspension of the constitutional rule which requires rules to be read on three several days in each house and the rule is hereby suspended and this Act shall take effect and be enforced from and after its passage and it is so enacted.

SIXTEENTH DAY.

Senate Chamber,

Austin, Texas,

March 14, 1930.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Thomason:

S. B. No. 92, A bill to be entitled "An Act to subject to taxation for